

**FAUQUIER COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
BOARD OF SUPERVISORS STAFF REPORT
FEBRUARY 16, 1999**

**REZONING REQUEST (#RZ98-CR-13)
CALVIN L. RITCHIE
CEDAR RUN MAGISTERIAL DISTRICT**

OWNER: Calvin L. Ritchie
5177 Ritchie Road
Bealeton, VA 22712

PROPOSAL: To rezone a 14.95 acre tract from I-1 to I-2.

LOCATION: The 14.95 acre parcel is located on the south side of Route 644 (Ritchie Road) just east of Route 644. A vicinity map is included as *Attachment 1*.

DISTRICT: Cedar Run

PIN: 7808-52-4186-000

ZONING: Industrial-1

SURROUNDING ZONING/USES

	ZONING	USES
North	RA	Agricultural, Rural Residential
South	RA, C-2	Agricultural, Rural Residential, Skating Ring
East	RA	Agricultural
West	I-2	Industrial

STAFF PLANNER: Randy Hodgson

BACKGROUND

In 1985, the I-2 land adjacent to the applicant's tract was zoned. In 1990, the 14.95 acre tract which is subject of this application was zoned I-1. The zoning included the following conditions:

1. The pavement along the frontage of Route 644 will be widened to accommodate a 12 foot wide deceleration lane 100 feet in length and such lane shall be constructed by the applicant to meet Virginia Department of Transportation standards. In addition, 25 feet of right-of-way from the centerline shall be dedicated to Virginia Department of Transportation along the frontage of the property.
2. Access to the property on Route 644 shall be from the western corner of the property fronting on Route 644.

3. That the uses shall be limited to those which utilize agricultural and forestal products and shall be limited to the production of ethanol, wood pellets, and other similar wood products.

The applicant is now proposing that the I-1 zoned land be rezoned to I-2 to accommodate the needs of Payne's Parking Design who want to purchase the property for the expansion of their business. Payne's Parking Design currently occupies the adjacent parcel zoned I-2. Mr. Ritchie's statement of justification is attached and labeled *Attachment 2*.

STAFF REVIEW

Staff and appropriate referral agencies have reviewed this request for conformance with the Zoning Ordinance and other relevant policies and regulations. Staff findings, comments and recommendations, as well as referral agency comments follow.

1. Comprehensive Plan Conformance

Although shown for Rural Agricultural uses in the Comprehensive Plan, this 14.95 acre tract is already zoned for industrial uses. Therefore, an intensification of the industrial zoning district would not appear to violate the County's planning for this area.

2. Zoning Ordinance Conformance

Because the site is over ten acres in size, it meets the minimum district size for the I-2 industrial district.

3. Transportation

VDOT indicates that at the site plan stage, the developer should provide appropriate frontage requirements in accordance with VDOT minimum standards to entrances to State highways. VDOT's comments are found at *Attachment 3*.

4. Water and Sewer

Because this is outside a Service District, the site will require onsite wells and sewage disposal. The Virginia Department of Health indicates that it has no objection to the use of a sand filter discharge proposal (see *Attachment 4*).

5. Environmental Impacts

The County Engineer indicates that the applicant is seeking a reevaluation of the floodplain limits on the 14.95 acre site. The County Engineer states that the site drains through Brown's Run into Marsh Run which is on DEQ's 303(d) list or TMDL list of impaired water. The County Engineers comments are found at *Attachment 5*.

The County Soil Scientist indicates that the dominant soils on the site would support most I-2 uses. The Soil Scientist comments are found at *Attachment 6*.

PLANNING COMMISSION REVIEW AND RECOMMENDATION

The Planning Commission held a public hearing on this rezoning request at its meeting on January 28, 1999. No one spoke for or against this rezoning request. After closing the public hearing, the Planning Commission voted to recommend approval of the rezoning request subject to the applicant preparing a proffer statement which would proffer out all I-2 zoning uses except the use proposed by the applicant.

ATTACHMENTS

1. Attachment 1 - Vicinity Map
2. Attachment 2 - Statement of Justification
3. Attachment 3 - Comments of VDOT
4. Attachment 4 - Comments of Health Department
5. Attachment 5 - County Engineer's Comments
6. Attachment 6 - County Soil Scientist's Comments